

SEP 22 2020

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

US DISTRICT COURT  
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA	)	DOCKET NO. 3:20-CR-126-RJC-DSC-1
	)	
VS.	)	<b>AMENDED</b>
	)	<b>FACTUAL BASIS</b>
DEONTE MARQUES CURRY	)	
_____	)	

NOW COMES the United States of America, by and through R. Andrew Murray, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

1. On or about March 5, 2020, in Mecklenburg County, within the Western District of North Carolina, Deonte Marques CURRY, did knowingly and unlawfully combine, conspire, confederate and agree with another to obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951, in that the defendant agreed with others to take and obtain property belonging to Mr. C's Original Soul Food Restaurant, LLC, located at 3726 North Tryon Street, Charlotte, North Carolina, from the person and presence of an employee of Mr. C's Original Soul Food Restaurant, LLC, against each such employee's will, and by means of actual and threatened force, violence, and fear of immediate and future injury to each employee's person.

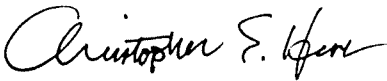
2. On or about March 5, 2020, in Mecklenburg County, within the Western District of North Carolina, Deonte Marques CURRY and Trevon Gregory RICKS, did knowingly and

intentionally obstruct, delay, and affect commerce as that term is defined in Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery as that term is defined in Title 18, United States Code, Section 1951, in that CURRY and RICKS did unlawfully attempt to take property belonging to Mr. C's Original Soul Food Restaurant, LLC located at 3726 North Tryon Street, Charlotte, North Carolina, from the person and in the presence of one or more persons, against their will, and by means of actual and threatened force, violence, and fear of immediate and future injury, and did aid, abet, counsel, command, induce, and procure each other, in the commission of said offense.

3. During the course of the March 5, 2020 attempted robbery of Mr. C's Original Soul Food Restaurant, LLC, located at 3726 North Tryon Street, Charlotte, North Carolina, Deonte Marques CURRY, aided and abetted by another, did knowingly use and carry a firearm during and in relation to the attempted robbery, and possessed and brandished that firearm in furtherance of the attempted robbery. In addition, that said firearm was discharged.

4. As of March 5, 2020, Mr. C's Original Soul Food Restaurant, LLC, located at 3726 North Tryon Street, Charlotte, North Carolina was engaged in restaurant business and the skilled arcade gaming tables and gambling machines business, and was engaged in interstate commerce and in activity that affected interstate commerce.

R. ANDREW MURRAY  
UNITED STATES ATTORNEY



---

CHRISTOPHER S. HESS  
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis and the Bill of Indictment, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis and the Bill of Indictment. I hereby certify that the defendant does not dispute this Factual Basis.



---

Kevin Tate, Attorney for Defendant

DATED: 9/22/20